



**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants:	Bengs et al.	) I hereby certify that this paper (or fee) is
Serial No.:	09/869,511	) being deposited with the United States
Filed:	November 30, 1999	) Postal Service, first class postage
		) prepaid, addressed to: Commissioner
		) for Patents, Washington, DC 20231
Title:	PREPARATIONS	)
	CONTAINING ALPHA	)
	POLYGLUCANS FOR	)
	TOPICAL APPLICATION	)
		)
Group Art Unit:	Not yet assigned	)
		)
Examiner:	Not yet assigned	)
		)

*[Signature]*  
James P. Zeller

Reg. No. 28,491

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This paper is in response to the "Notice of Missing Requirements ..." dated August 2, 2001. A copy of the notice is attached.

This response is timely filed, as it is accompanied by a petition for an extension of time to file in the first month.

Submitted herewith is the executed "Declaration for Patent Application and Power of Attorney" along with our check in the amount of \$130.00 to cover the surcharge.

The notice to file missing parts also requires submission of a sequence listing pursuant to 37 CFR 1.821-1.825. This requirement is traversed.

37 CFR 1.821 requires sequence listing submissions for patent applications containing nucleotide and/or amino acid sequences that fall within the following definition according to 37 CFR 1.821(a): "Nucleotide and/or amino acid sequences are interpreted to mean an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides. Nucleotides are intended to embrace only those nucleotides that can be represented using the symbols set forth in WIPO Standard ST.25. Amino acids are those L-amino acids commonly found in naturally occurring proteins and are listed in WIPO Standard ST.25."


The present application does not contain material that falls within 37 CFR 1.821. There is no disclosure of nucleotide or amino acid sequences in the specification that is required to be entered into a sequence listing format. The disclosure pertains to polyglucans, which are chains of carbohydrate moieties, and are not required under the applicable rule to be entered in a separate sequence listing. Therefore, withdrawal of the requirement for filing of a sequence listing under 37 CFR 1.821-1.825 is solicited.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

October 24, 2001

By:

  
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